

Message

From: Goodis, Michael [Goodis.Michael@epa.gov]
Sent: 2/21/2019 5:13:46 PM
To: Kenny, Daniel [Kenny.Dan@epa.gov]; Chiu, Enid [Chiu.Enid@epa.gov]; Rosenblatt, Daniel [Rosenblatt.Dan@epa.gov]
CC: Davis, Donna [Davis.Donna@epa.gov]
Subject: RE: LINDA/OPP: DTN/Prog. Farmer - LL GT27 question

Have a short meeting would help...I can meet anytime from now to 1 pm or after 4 pm today.

Michael L. Goodis, P.E.
Director, Registration Division (RD)
Office of Pesticide Programs (OPP)

Phone 703-308-8157
Room S7623

From: Kenny, Daniel
Sent: Thursday, February 21, 2019 11:38 AM
To: Goodis, Michael <Goodis.Michael@epa.gov>; Chiu, Enid <Chiu.Enid@epa.gov>; Rosenblatt, Daniel <Rosenblatt.Dan@epa.gov>
Cc: Davis, Donna <Davis.Donna@epa.gov>
Subject: RE: LINDA/OPP: DTN/Prog. Farmer - LL GT27 question

Do people want to sit down for a quick minute to discuss this? I guess I'm having trouble expressing this clearly. I thought from reading the article on the link that the reporter sent that they were questioning whether or not glyphosate products could be used on this specific trait. It all depends on the label of the product that is to be used. If the product uses the term, for use on glyphosate-resistant soybeans, it can be used on any soybean that has a glyphosate resistant trait, including the LLGT27 trait. However, if it mentions that it is for use on specific traits, mentioning the traits specifically by name, and don't mention the LLGT27 trait, then they could not use it.

I think the confusion may come from the use of the term, for use on RoundUp Ready soybeans. Some people use the term to describe glyphosate-resistant soybeans in general. Technically, however, it refers to the Monsanto trait of glyphosate resistant soybeans (as opposed to, for example, the Optimum GAT soybeans, a trait from DuPont). But again, it depends on what the label in question says.

I'd be happy to sit down and chat about it if that helps? I'm still not sure if I'm being clear.

Dan

From: Goodis, Michael
Sent: Thursday, February 21, 2019 8:08 AM
To: Chiu, Enid <Chiu.Enid@epa.gov>; Rosenblatt, Daniel <Rosenblatt.Dan@epa.gov>; Kenny, Daniel <Kenny.Dan@epa.gov>
Cc: Davis, Donna <Davis.Donna@epa.gov>
Subject: RE: LINDA/OPP: DTN/Prog. Farmer - LL GT27 question

Sorry but I don't think it fully answers the question and I don't think I know the best response yet. We need to discuss further today to better understand.

Michael L. Goodis, P.E.
Director, Registration Division (RD)

Office of Pesticide Programs (OPP)

Phone 703-308-8157

Room S7623

From: Chiu, Enid

Sent: Thursday, February 21, 2019 8:03 AM

To: Rosenblatt, Daniel <Rosenblatt.Dan@epa.gov>; Kenny, Daniel <Kenny.Dan@epa.gov>

Cc: Goodis, Michael <Goodis.Michael@epa.gov>; Davis, Donna <Davis.Donna@epa.gov>

Subject: RE: LINDA/OPP: DTN/Prog. Farmer - LL GT27 question

Updated response below based on your feedback. Okay to send onward?

Draft Response:

Ex. 5 Deliberative Process (DP)

—
Enid Chiu

Communication Services Branch

Office of Pesticide Programs

U.S. Environmental Protection Agency

(703) 347-8262 | chiu.enid@epa.gov

<https://www.epa.gov/pesticides>

From: Rosenblatt, Daniel

Sent: Wednesday, February 20, 2019 5:53 PM

To: Kenny, Daniel <Kenny.Dan@epa.gov>

Cc: Goodis, Michael <Goodis.Michael@epa.gov>; Chiu, Enid <Chiu.Enid@epa.gov>; Davis, Donna <Davis.Donna@epa.gov>

Subject: Re: LINDA/OPP: DTN/Prog. Farmer - LL GT27 question

My 2 cents are - I like Dan's proposed simple answer.

Sent from my iPhone

On Feb 20, 2019, at 5:25 PM, Kenny, Daniel <Kenny.Dan@epa.gov> wrote:

Maybe it would be better to simply our answer? Our basic answer would be that EPA would consider it a legal application as long as the product in question is registered for use on that trait or on glyphosate-resistant soybeans in general. They would have to refer to the label of the product in question.

From: Goodis, Michael

Sent: Wednesday, February 20, 2019 5:03 PM

To: Kenny, Daniel <Kenny.Dan@epa.gov>; Chiu, Enid <Chiu.Enid@epa.gov>; Rosenblatt, Daniel <Rosenblatt.Dan@epa.gov>; Davis, Donna <Davis.Donna@epa.gov>

Subject: RE: LINDA/OPP: DTN/Prog. Farmer - LL GT27 question

Yes please same as my original comment

Michael L. Goodis, P.E.

Director, Registration Division (RD)

Office of Pesticide Programs (OPP)

Phone 703-308-8157
Room S7623

From: Kenny, Daniel
Sent: Wednesday, February 20, 2019 5:02 PM
To: Goodis, Michael <Goodis.Michael@epa.gov>; Chiu, Enid <Chiu.Enid@epa.gov>; Rosenblatt, Daniel <Rosenblatt.Dan@epa.gov>; Davis, Donna <Davis.Donna@epa.gov>
Subject: RE: LINDA/OPP: DTN/Prog. Farmer - LL GT27 question

Do you mean the second sentence of our draft response?

From: Goodis, Michael
Sent: Wednesday, February 20, 2019 4:41 PM
To: Kenny, Daniel <Kenny.Dan@epa.gov>; Chiu, Enid <Chiu.Enid@epa.gov>; Rosenblatt, Daniel <Rosenblatt.Dan@epa.gov>; Davis, Donna <Davis.Donna@epa.gov>
Subject: RE: LINDA/OPP: DTN/Prog. Farmer - LL GT27 question

Keep in mind that Scotts is marketing, or planning to market, "Roundup" for products other than glyphosate. Though not for big ag, it will confuse the market. I think it would be best to stay away from trade names in general.

I still think the 2nd sentence needs an explanation but not sure what it is yet.

Michael L. Goodis, P.E.
Director, Registration Division (RD)
Office of Pesticide Programs (OPP)

Phone 703-308-8157
Room S7623

From: Kenny, Daniel
Sent: Wednesday, February 20, 2019 4:32 PM
To: Goodis, Michael <Goodis.Michael@epa.gov>; Chiu, Enid <Chiu.Enid@epa.gov>; Rosenblatt, Daniel <Rosenblatt.Dan@epa.gov>; Davis, Donna <Davis.Donna@epa.gov>
Subject: RE: LINDA/OPP: DTN/Prog. Farmer - LL GT27 question

It's a little tricky because people think that "Round Up Ready" soybeans is synonymous with "glyphosate resistant" soybeans, where, as I understand it, it actually refers to a glyphosate resistant trait (or group of traits). If we could say that Round Up Ready is a generic term for glyphosate resistant, it would actually be a lot easier a question.

From: Goodis, Michael
Sent: Wednesday, February 20, 2019 4:25 PM
To: Chiu, Enid <Chiu.Enid@epa.gov>; Rosenblatt, Daniel <Rosenblatt.Dan@epa.gov>; Davis, Donna <Davis.Donna@epa.gov>
Cc: Kenny, Daniel <Kenny.Dan@epa.gov>
Subject: RE: LINDA/OPP: DTN/Prog. Farmer - LL GT27 question

I think an explanation for the 2nd sentence is needed. Is it because Roundup no longer just applies to glyphosate?

Michael L. Goodis, P.E.
Director, Registration Division (RD)
Office of Pesticide Programs (OPP)

Phone 703-308-8157
Room S7623

From: Chiu, Enid
Sent: Wednesday, February 20, 2019 4:15 PM
To: Goodis, Michael <Goodis.Michael@epa.gov>; Rosenblatt, Daniel <Rosenblatt.Dan@epa.gov>; Davis, Donna <Davis.Donna@epa.gov>
Cc: Kenny, Daniel <Kenny.Dan@epa.gov>
Subject: FW: LINDA/OPP: DTN/Prog. Farmer - LL GT27 question
Importance: High

Hi Mike / Dan / Donna,

Another press inquiry draft response for your review – this one on glyphosate used over-the-top on glyphosate-tolerant LL GT27 soybeans. Dan Kenny approved the draft below. Royan Teter in OECA asked to see the response before it goes out, since this issue has come up for them recently.

Incoming:

I need some clarification from EPA on what herbicides are legal to apply to LL GT27 soybeans this year. We are hearing that one company, Bayer, is telling farmers and educators that it is not legal to apply glyphosate post-emergence to LL GT27 soybeans, which were developed to tolerate glyphosate and glufosinate applications, post-emergence.

On the other side, some Extension educators are telling growers that it IS legal to apply glyphosate post-emergence to these soybeans, either alone or in a tank mix with glufosinate. <https://agfaxweedsolutions.com/2019/02/06/ohio-the-ll-gt27-soybean-whats-legal-to-spray-and-when/>

What is EPA's guidance on this issue?

Follow-up from the reporter. Thanks in advance for any update:

“What is EPA's response to this question? I now have Bayer, the registrant of Roundup herbicides, saying that it is not legal for farmers to apply any Roundup products over the top of GT27 soybeans.

Is this correct? Are farmers still permitted to apply generic glyphosate products to GT27 soybeans, post-emergence?”

Draft Response:

Ex. 5 Deliberative Process (DP)

—
Enid Chiu
Communication Services Branch
Office of Pesticide Programs
U.S. Environmental Protection Agency
(703) 347-8262 | chiu.enid@epa.gov
<https://www.epa.gov/pesticides>

From: Kenny, Daniel
Sent: Wednesday, February 20, 2019 4:10 PM

To: Chiu, Enid <Chiu.Enid@epa.gov>

Subject: Re: LINDA/OPP: DTN/Prog. Farmer - LL GT27 question

Excellent draft! I would include Dan Rosenblatt instead of Reuben for concurrence though (Reuben is currently on detail).

Sent from my iPhone

On Feb 20, 2019, at 2:48 PM, Chiu, Enid <Chiu.Enid@epa.gov> wrote:

Hi Dan,

Below is the draft response to the glyphosate over-the-top question. Let me know if I captured your thoughts correctly. After hearing from you, I will also share with Reuben and Royan for their input. Thanks!

Draft Response:

Ex. 5 Deliberative Process (DP)

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—

Enid Chiu

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<https://www.epa.gov/pesticides>

From: Chiu, Enid

Sent: Thursday, February 14, 2019 9:07 AM

To: Koper, Christopher <Koper.Christopher@epa.gov>

Cc: Kenny, Daniel <Kenny.Dan@epa.gov>

Subject: FW: LINDA/OPP: DTN/Prog. Farmer - LL GT27 question

Hi Chris,

As we discussed, below is the press inquiry below on applying glyphosate post-emergence to LLGT27 soybeans. Let me know who may be the best contact for this topic. Thanks!

Incoming:

I need some clarification from EPA on what herbicides are legal to apply to LL GT27 soybeans this year. We are hearing that one company, Bayer, is telling farmers and educators that it is not legal to apply glyphosate post-emergence to LL GT27 soybeans, which were developed to tolerate glyphosate and glufosinate applications, post-emergence.

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What is EPA's guidance on this issue?

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Enid Chiu

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<https://www.epa.gov/pesticides>

From: Daguillard, Robert

Sent: Wednesday, February 13, 2019 1:04 PM

To: Strauss, Linda <Strauss.Linda@epa.gov>; Han, Kaythi <Han.Kaythi@epa.gov>; Sisco, Debby <Sisco.Debby@epa.gov>;
Dinkins, Darlene <Dinkins.Darlene@epa.gov>

Subject: LINDA/OPP: DTN/Prog. Farmer - LL GT27 question

DTN/PROGRESSIVE FARMER
EMILY UNGLESBEE
NO FIRM DDL

Good afternoon team,

Let me know if you want to discuss next steps. Thanks in advance.

+++++

Robert,

I need some clarification from EPA on what herbicides are legal to apply to LL GT27 soybeans this year. We are hearing that one company, Bayer, is telling farmers and educators that it is not legal to apply glyphosate post-emergence to LL GT27 soybeans, which were developed to tolerate glyphosate and glufosinate applications, post-emergence.

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What is EPA's guidance on this issue?

Emily Unglesbee
Staff Reporter, DTN/The Progressive Farmer

DTN
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